

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CERTAIN UNDERWRITERS AT
LLOYD'S, LONDON,

Plaintiff(s),

VS.

C&S PROPERTIES, LLC, et al.,

Defendant(s).

Case No. 4:21 CV 422 SRW

MEMORANDUM AND ORDER

This matter is before the Court on the Motion of Plaintiff Certain Underwriters at Lloyd's, London for Leave to Amend by Interlineation its First Amended Complaint for Declaratory Judgment. ECF No. 17. Defendants C&S Properties, LLC and Donald Cooksey have not filed a response and the time to do so has passed.

On April 30, 2021, Plaintiff filed a First Amended Complaint. ECF No. 10. Paragraphs 14 and 16 of the Amended Complaint allege defendant C&S Properties, LLC has one sole member, Gregory A. Brown, who is citizen of Pennsylvania. *Id.* at 5, 6. Plaintiff asserts it was recently notified that on January 22, 2018, Gregory A. Brown sold defendant C&S Properties, LLC to Daniel Shields. Plaintiff seeks to amend its complaint by interlineation to substitute the sole member of defendant C&S Properties, LLC and allege he is a citizen of Missouri.

The Court acknowledges that Plaintiff's proposed amendment presents only a minor change, however, the Court does not permit pleadings to be amended by interlineation. Such amendments tend to cause confusion for the Court and other parties. Plaintiff may resubmit a motion for leave to amend with a proposed amended complaint submitted as an attachment thereto. If the motion for leave to amend is uncontested, Plaintiff must indicate it as such within the motion.

IT IS HEREBY ORDERED that Plaintiff Certain Underwriters at Lloyd's, London's Motion for Leave to Amend by Interlineation its First Amended Complaint for Declaratory Judgment is **DENIED**. [ECF No. 17].

So Ordered this 15th day of June, 2021.

/s/ *Stephen R. Welby*

STEPHEN R. WELBY

UNITED STATES MAGISTRATE JUDGE